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21 **UNITED STATES DISTRICT COURT**

22 **DISTRICT OF NEVADA**

23 DEBORAH ZIMMERMAN,

24 Plaintiff,

25 vs.

26 ACCTCORP OF SOUTHERN NEVADA,
27 INC.; BARCLAYS BANK DELAWARE;
28 EQUIFAX INFORMATION SERVICES, LLC;
EXPERIAN INFORMATION SOLUTIONS,
INC.; TRANS UNION, LLC; and VONS
CREDIT UNION,

Defendants.

Case No.: 2:18-cv-00015-APG-NJK

~~[PROPOSED]~~ **STIPULATED DISCOVERY
PLAN AND SCHEDULING ORDER**

SUBMITTED IN COMPLIANCE WITH LR 26-1(b)

1 Plaintiff DEBORAH ZIMMERMAN (“Plaintiff”) and Defendants TRANS UNION LLC
2 (“Trans Union”) and EXPERIAN INFORMATION SOLUTIONS, INC., (“Experian”)
3 (collectively, the “Parties”)¹, by and through their counsel of record, hereby submit their stipulated
4 Discovery Plan and Scheduling Order pursuant to Federal Rule of Civil Procedure 16 and 26, as
5 well as LR II 16-1 and 26-1. It is hereby requested that the Court enter the following discovery
6 plan and scheduling order:
7

8 **1. Discovery Plan:**

9	Discovery Cut-Off	7/30/2018 (180 days from the date Experian 10 filed its Answer, 1/29/2018)
11	Deadline to Amend Pleadings	5/1/2018 (90 days prior to the close of 12 discovery)
13	Deadline to Disclose Initial Expert 14 Disclosures	5/31/2018 (60 days prior to the close of discovery)
15	Deadline to Disclose Rebuttal Expert 16 Disclosures	7/2/2018 (30 days after the Initial Disclosure of Experts)
17	Deadline to File Dispositive Motions	8/29/2018 (30 days after the close of 18 discovery)

19 **2. Interim Status Report:** The parties shall file the interim status report required by
20 LR 26-3 no later than **5/31/2018** or sixty-one (60) days prior to the close of discovery.
21

22 **3. Pre-Trial Order:** The parties shall file a joint pretrial order no later than **9/28/2018**
23 or thirty (30) days after the date set for filing dispositive motions. In the event that parties file
24

25
26
27 ¹ Plaintiff settled her claims against Barclays Bank Delaware; Equifax Information Services,
28 LLC and Vons Credit Union. Acctcorp of Southern Nevada, Inc., has not made an appearance in
this case yet.

dispositive motions, the date for filing the joint pretrial order shall be suspended until thirty (30) days after decision on the dispositive motions or further order of the Court. The disclosure required by Federal Rule of Civil Procedure 26(a)(3) and objections thereto shall be made in the pre-trial order.

4. Initial Disclosures: The parties served their initial disclosures on or before **3/14/2018**. Any party seeking damages shall comply with Federal Rules of Civil Procedure 26(a)(1)(A)(iii).

5. Extension of Discovery Deadline: Requests to extend the discovery shall comply fully with LR 26-4. Applications to extend any date set by the discovery plan, scheduling order, or other order must, in addition to satisfying the requirements of LR IA 6-1, be supported by a showing of good cause for the extension.

The motion or stipulation shall include:

- a. A statement specifying the discovery completed by the parties as of the date of the motion or stipulation;
- b. A specific description of the discovery which remains to be completed;
- c. The reasons why such remaining discovery was not completed within the time limit of the existing discovery deadline; and,
- d. A proposed schedule for the completion of all remaining discovery.

It is not good cause for a later request to extend discovery that the parties informally postponed discovery. Any stipulation that would interfere with any time set for completion of discovery, for hearing of a motion, or for trial, may be made only with approval of the Court.

1 **6. Electronically Stored Information (“ESI”):**

2 The Parties stipulate and agree that all discoverable documents will be produced on CD-
3 ROM in Portable Document Format (“PDF”) with optical text recognition (electronically
4 searchable text) as reasonably practicable. The Parties further agreed that the “parent-child
5 relationships” between documents will be preserved when documents are produced (*e.g.*, e-mails
6 and their attachments will be produced together with consecutive bates numbers) as reasonably
7 practicable.
8

9 While the Parties agree at this time that it is not necessary to produce the metadata for
10 electronic documents, the Parties reserve their respective rights to request such information should
11 any Party deem it necessary. This agreement determines only the format in which the Parties
12 produce documents; it does not affect any other right of any Party.
13

14 **7. LR II 26-1(b) CERTIFICATIONS:** The parties certify that they considered
15 consenting to trial by a magistrate judge and use of the Short Trial Program. The parties further
16 certify that they met and conferred about the possibility of using alternative dispute resolution
17 processes including, mediation, arbitration, and early neutral evaluation.
18

19 **8. Electronic Service.** The Parties agree to accept electronic service of discovery
20 requests and responses pursuant to Federal Rule of Civil Procedure 5(b)(2)(E). To the extent
21 discovery requests are served on a Saturday, Sunday, or legal holiday, service will be deemed
22 effective on the next day that is not a Saturday, Sunday, or legal holiday. The parties discussed
23 whether they intend to present evidence in electronic format to jurors for the purpose of jury
24 deliberations and agreed that should discovery be provided in an electronic format at trial, it will
25 be compatible with the court’s electronic jury evidence display system pursuant to LR II 26-
26 1(b)(9).
27
28

1 **9. Protective Orders.** Any party may seek to enter into a stipulated protective order
2 pursuant to Federal Rule of Civil Procedure 26(c) prior to producing any confidential documents
3 in its possession. A proposed stipulated protective order has been circulated by Plaintiff, has been
4 agreed to by the parties, and will be filed shortly after filing of this proposed discovery plan.
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6 **IT IS SO STIPULATED.**

7 Dated March 22, 2018

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SCHEDULING ORDER

The above-set stipulated Discovery Plan of the parties shall be the Scheduling Order for this action pursuant to Federal Rule of Civil Procedure 16(b) and Local Rule 16-1.

IT IS SO ORDERED.



United States Magistrate Judge

Dated: _ March 23, 2018